

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

HICHAM AZKOUR,

Plaintiff,

-v-

LITTLE REST TWELVE,

Defendant.

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DATE FILED: 5/29/14

No. 10 Civ. 4132 (RJS) (KNF)
ORDER

RICHARD J. SULLIVAN, District Judge:

Now before the Court are Plaintiff's motion for (1) a declaratory judgment that he is entitled to court costs, including experts' fees (Doc. No. 201); (2) a final judgment on his minimum wage, overtime, and retained tips claims (Doc. No. 202); (3) attachment of Defendant's assets (Doc. No. 203); and (4) an extension of the time set for trial from two days to fifteen days (Doc. No. 209). IT IS HEREBY ORDERED THAT all of these motions are DENIED.

IT IS FURTHER ORDERED THAT both parties' motions for additional discovery are DENIED.

IT IS FURTHER ORDERED THAT the parties shall commence trial at 9:30 a.m. on July 21, 2014. The trial shall last no more than three days.

IT IS FURTHER ORDERED THAT, by June 30, 2014, each party shall submit a Proposed Pretrial Order that includes, in separately numbered paragraphs, the information required by Federal Rule of Civil Procedure 26(a)(3) and the following:

- i. The full caption of the action;

- ii. The names, addresses (including firm names), and telephone and fax numbers of trial counsel;
- iii. A brief statement by Plaintiff as to the basis of subject-matter jurisdiction, and a brief statement by Defendants to the presence or absence of subject-matter jurisdiction. Such statements shall include citations to all authority relied on and relevant facts as to citizenship and jurisdictional amount;
- iv. A brief summary of the claims and defenses that the party has asserted which remain to be tried, without recital of evidentiary matters but including citations to all statutes relied on. Such summaries shall identify all claims and defenses previously asserted which are not to be tried;
- v. A statement as to whether the party has consented to trial of the case by a magistrate judge;
- vi. Any stipulations of fact or law that have been agreed to by the parties;
- vii. A statement as to the witnesses whose testimony is to be offered in its case in chief, indicating whether such witnesses will testify in person or by deposition;
- viii. A designation of deposition testimony to be offered in its case in chief;
- ix. A list of exhibits to be offered in its case in chief; and
- x. A statement of whether the party consents to less than a unanimous verdict.

IT IS FURTHER ORDERED THAT the parties shall file the following with the Proposed

Pretrial Order:

- i. Proposed voir dire questions, verdict form, and jury instructions. The voir dire questions and jury instructions shall include both the text of any requested question or instruction as well as a citation, if relevant, to the authority from which it derives. A Word version of these documents shall also be submitted by e-mail.
- ii. Motions addressing any evidentiary or other issues which should be resolved *in limine*; and
- iii. In any case where a party believes it would be useful, a pretrial memorandum, not to exceed 10 pages.

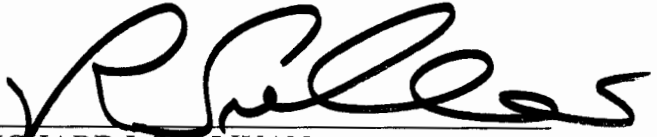
IT IS FURTHER ORDERED THAT, within one week of the filing of the Proposed Pretrial Order, any party may file the following documents:

- i. Oppositions to any motions *in limine*; and
- ii. Oppositions to any legal argument in a pretrial memorandum.

IT IS FURTHER ORDERED THAT the parties shall appear for a final pretrial conference on July 17, 2014 at 2:00 p.m.

SO ORDERED.

Dated: May 28, 2014
New York, New York



RICHARD J. SULLIVAN
UNITED STATES DISTRICT JUDGE

A copy of this Order has been sent to:

Hicham Azkour
Hicham.Azkour@gmail.com